

VZCZCXRO9715  
PP RUEHLMC  
DE RUEHKV #0359/01 0461256  
ZNY CCCCC ZZH  
P 151256Z FEB 08  
FM AMEMBASSY KYIV  
TO RUEHC/SECSTATE WASHDC PRIORITY 4981  
INFO RUEHZG/NATO EU COLLECTIVE  
RUCNCIS/CIS COLLECTIVE  
RUEHLMC/MILLENNIUM CHALLENGE CORP WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 KYIV 000359

SIPDIS

SIPDIS

E.O. 12958: DECL: 02/15/2018  
TAGS: [PGOV](#) [PREL](#) [PINR](#) [UP](#)  
SUBJECT: UKRAINE: RADA COMES IN, VOTES, STALLS AGAIN

Classified By: Ambassador for reasons 1.4(b,d).

¶1. (C) Summary. The Rada managed to overcome political differences on February 12 to vote on social and economic issues, but then immediately sunk back into an impasse. After several Coordinating Council meetings early in the week, on the morning of February 12 leaders from BYuT and Party of Regions announced they had reached a temporary agreement to hold a session to vote on needed non-political items. An overwhelming majority then adopted the Rada's spring schedule, a law on minimum subsistence level, and a new version of the law on fundamentals of health care. In addition, the coalition with the help of the Lytvyn Bloc, approved a law on the strength of the armed forces authorizing further personnel cuts. However, the approval in the first reading of amendments to the law on government procurements by BYuT and Regions caused an exchange of accusations between the Presidential Secretariat and the two factions; OU-PSD sat the vote out, although they had submitted the draft law in the first place. Regions resumed its blockade of the rostrum and the Rada has been unable to go back into session since then, although Speaker Yatsenyuk and Regions leaders held "fruitful" meeting late on February 13. On February 15, Yatsenyuk proposed an agreement that he hoped all factions would sign on February 19 -- if they did not, he said he feared there would be no progress and the Rada would eventually run out the constitutional timeline that says the Rada may be dissolved if it does not hold a plenary session within 30 days of the previous session.

¶2. (C) Comment. It is encouraging that the factions were able to overcome political differences to hold votes on some important laws, but with a lengthy legislative agenda facing them, they will need to meet more than once a week if they are to accomplish their goals. Among the myriad draft laws awaiting consideration are the ratification of the WTO protocol, the abolition of parliamentary immunity and benefits, a new law on the authority of the Cabinet of Ministers, two laws on the judiciary, and the GUAM statute. Regions continues to be the source of most problems with speculation persisting that they are merely stalling for time and hoping the coalition will collapse. However, the coalition's continued internal sniping and its conflicts with the Presidential Secretariat also hamper the work of the parliament. If Yatsenyuk's warnings come to pass and the Rada does not meet for more than 30 days, it is not clear what will happen next since the constitution also prohibits the Rada's powers from being terminated for a year after a pre-term Rada election. End summary and comment.

Rada Session Starts Well...

¶3. (SBU) At the Coordinating Council meeting the morning of February 12, Rada leaders agreed to a temporary solution where Regions would unblock the rostrum to allow the Rada to

convene that afternoon to consider several issues that were "social, not political" in nature. As promised, Regions removed balloons that said "No NATO" from the Speaker's dais and Yatsenyuk called the session at about 5 pm local time. There were 366 votes to approve session's agenda, which included 6 items. First they adopted a calendar for the spring session with 427 votes in favor, then 442 MPs approved a law on minimum subsistence level, that requires the Cabinet to publish information about decisions to raise the level. The Rada also approved a new law on fundamentals of health care that guarantees additional annual leave to family practitioners (439 votes) and the law on the numerical strength of the armed forces, submitted by the President, that envisions reducing the military's strength by 17,000 people this year. The latter bill received only 243 votes in support, from the coalition and Lytvyn's Bloc. The Rada did not pass proposed amendments to the Economic Code.

Ends Poorly...

-----  
14. (C) More controversy came when 135 members of BYuT, 120 members of Regions, and all 27 Communists voted for the first reading of an amended law on state procurements, focused on the notoriously-corrupt Tender Chamber, which vets bids for government contracts. Strangely, the law was co-authored by OU-PSD MP Zvarych and endorsed by Deputy Presidential Secretariat Head Shlapak, but 17 OU-PSD MPs voted against it

SIPDIS  
and the rest of the faction abstained. President Yushchenko had originally called for the tender chamber to be abolished, but later said invalidating the most recent amendments to the procurement law would be sufficient, which we presume is what Zvarych's draft did.

15. (C) Following the vote, PS Head Baloha said the vote for

KYIV 00000359 002 OF 002

the draft bill "preserves the corrupt and non-transparent methods of tender procedures" and accused BYuT of voting for the flawed bill because they benefit from the current system.

He also said that BYuT had taken "practical steps" to create a coalition with Regions. In response, on February 13, BYuT said that they voted for the draft law because the coalition's political council had agreed to do so and they published a letter that Shlapak had sent to the entire Economic Policy Committee asking the Rada to support the bill. Regions chimed in, saying that they had voted for the bill because that had been the agreement reached in the Coordinating Council. (Note. The bill still awaits a second reading and could be amended before the next vote. End note.)

16. (C) In another strange coalition twist on the margins, the Legal Policy committee chaired by BYuT's Serhiy Mishchenko rejected a petition submitted by 187 members of the coalition requesting a no confidence vote in Prosecutor General Medvedko. This had been a priority for PM Tymoshenko and is just one more sign that the coalition is not all working in conjunction.

And Closes Quickly

-----  
17. (SBU) After the voting, another Coordinating Council meeting was held to discuss a possible plenary session on February 13. Coalition MPs had proposed that the next session address ten of the laws designated urgent by the President, including the law on imperative mandate and proposals to eliminate parliamentary immunity and other benefits. Regions MP Yefremov warned that Regions had not taken NATO off their agenda, but were willing to set it aside temporarily to address other issues. However, after a Coordinating Council meeting early on February 13, Lytvyn told the press that there would be no session before February 15 at the earliest. Also on February 13, President

Yushchenko weighed in from Moscow to urge that the Rada resume its work, pledging to meet with faction leaders in the near future to help broker a compromise.

18. (C) Yatsenyuk held another meeting with Regions at the party's headquarters late on February 13, which he described as very fruitful. He said that the discussion was not pleasant at the beginning, but the two sides heard each other out and he hoped the Rada would be unblocked soon. However, following unproductive Coordinating Council negotiations on February 15, the Rada remained blocked. Yatsenyuk told the press he had put together an agreement that he hoped all faction leaders would sign on February 18. The agreement acknowledges that the Speaker signed the NATO MAP letter without the full backing of the Rada, but underscores that the law on the fundamentals of national security from 2003, which specifies NATO membership as a goal, was still in effect. The Speaker added that if a resolution to the standoff was not reached early next week, he feared that the Rada would not be able to meet and the 30-day clock would begin to tick down, possibly leaving Ukraine without a parliament. (Note. Article 90 of the Constitution says that when the Rada is in session, if it does not hold a plenary meeting within 30 days of the previous one, it can be dissolved. However, the same article says that following a pre-term Rada election, the parliament's powers cannot be terminated for at least one year. End note.)

19. (U) Visit Embassy Kyiv's classified website:  
[www.state.sgov.gov/p/eur/kiev](http://www.state.sgov.gov/p/eur/kiev).  
Taylor